

Docket No.: 113019.179US2

PATENT/OFFICIAL

11/13/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of

Ke-Wen DONG et al.

Serial No. 09/829,073

Filed: April 9, 2001

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Group Art Unit: 1641

Examiner: Lisa V. Cook

For: HUMAN ZONA PELLUCIDA PROTEIN 3 AND USES THEREOF

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the provisions of 37 C.F.R. 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the documents listed on the attached form PTO-1449. It is respectfully requested that the documents be expressly considered during the prosecution of this application, and that the documents be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

In accordance with 37 C.F.R. § 1.97(g) and (h), the filing of this IDS should not be construed as a representation that a search had been made or that information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56 (b), or that any cited document listed or attached is (or constitutes) prior art. Unless otherwise indicated, the date of publication indicated for an item is taken from the face of the item, and Applicant reserves the right to prove that the date of publication is in fact different.

The references listed on Sheet Nos. 1 and 2 of Form PTO-1449 were cited by or submitted to the U.S. Patent and Trademark Office in parent application Serial No. 09/252,828,

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filed February 19, 1999, which is relied upon for an earlier filing date under 35 U.S.C § 120.


Copies of these references are not attached under 37 CFR 1.98(d).

The undersigned certifies that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

The referenced patent application was finally rejected on May 20, 2003. Applicant petitions for consideration of the enclosed documents by the Examiner. The petition fee of \$180.00 pursuant to 37 CFR § 1.17(p)(1) is attached. The Commissioner is authorized to charge any deficiency in any fees pursuant to 37 CFR § 1.17 associated with this communication and to credit any excess payment to Deposit Account No. 08-0219.

Respectfully submitted,

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Date: 10/20/03